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EXAMINER

NGUYEN, PHUONGCHAU BA

ART UNIT PAPER NUMBER

2663

DATE MAILED: 02/06/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/049,288

Applicant(s)

COUTURE, LOUIS

Examiner

Phuongchau Ba Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-62 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-7,14-21,25,26,29,30,35-39,41,44,45,49-52,54,57 and 61 is/are rejected.
- 7) ☒ Claim(s) 2-3, 8-13, 22-24, 27-28, 31-34, 40, 42-43, 46-48, 53, 55-56, 58-60 and 62 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 4-5, 7, 14, 18-20, 25, 29-30, 35, 37-39, 41, 44-45, 50-52 and 54 are rejected under 35 U.S.C. 102(b) as being anticipated by Kaewell, Jr. et al (USP 5,436,955).

Regarding claims 1, 25, 41 and 54, Kaewell teaches a method for supporting DSP of a plurality of data types comprising the steps of continuing broadcasting [RF transmitting via TX DSP 15; see figs. 2, 5, 3; col. 3, lines 9-29; col.4, lines 28-30; col.2, lines 65-68 to col.3, line 1 and col.4, lines 53-68 wherein the data received continuously at rate 48.6 k-sample/sec the transmitting rate would be 8 k-sample/sec, and transmitted continuously at 20 k-symbols/sec] a plurality of firmware algorithm to a plurality of DSP engines [11, 12, 13, 14] over a channelized serial bus (T1), selectively monitoring and receiving at least one firmware algorithm of the plurality of algorithm by at least one DSP engine wherein the at least one firmware algorithm is used to process data of at least one corresponding data type received by the at least one DSP engine over at least one data line.

Regarding claims 4, 29 and 44, the channel unit having the DSP engine which is configured as analog or digital channel unit is capable of communicating bidirectionally

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with the local telephone company central office in PCM format (see col. 2, line 62 to col. 3, line 8).

Regarding claims 5, 30 and 45, bidirectional host bus is depicted in figure 3.

Regarding claim 7, the channelized serial bus (T1) has at least eight channels.

Regarding claims 14, 19-20, 38-39 and 51-52, each TI voice channel carries traffic (DSP firmware) to one RAM for one DSP (see col. 3, lines 52-68).

Regarding claims 18, 37 and 50, each DSP engine handles at least one channel.

Regarding claims 35, figure 1 shows the interconnection between the mobile switching center and the PSTN from which multiplexed data would be transmitted to the base station via the mobile switching center.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6, 15-17, 21, 26, 36, 49, 57 and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaewell, Jr. et al (USP 5,436,955).

Regarding claims 6, 15-16, 21, 26, 57, the DSP algorithms are broadcasted to the DSP engines (11-14) from a firmware source via SPDF interface 32, logic 31 and bus 30 (see col. 4, lines 14-21). Although Kaewell does not specify that the firmware source is a master DSP engine, it would have been obvious to one of ordinary skill in the art at the time the invention was made to with the motivation being to use a master DSP engine as the firmware source for providing the DSP engine with the DSP firmware with the motivation being to facilitate DSP transmission control.

Regarding claims 17, 36, 49 and 61, Although Kaewell does not specify that wireless traffic can comprise data, voice data, audio data, video data and facsimile data, such data types are considered old and well known in the art of wireless communications for the purpose of supporting various communication needs. Thus, it would have been obvious to one skilled in the art to provide Kaewell's system with traffic comprising data, voice data, audio data, video data and facsimile data with the motivation being to support various communication needs.

Allowable Subject Matter

5. Claims 2-3, 8-13, 22-24, 27-28, 31-34, 40, 42-43, 46-48, 53, 55-56, 58-60 and 62 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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6. Applicant's arguments filed 11-29-2001 have been fully considered but they are not persuasive.

A/. Applicants argued in page 17 that Kaewell does not disclose CONTINUOUSLY BROADCASTING a plurality of firmware algorithm to a plurality of DSP engines over a channelized serial bus.

In reply, applicants are directed to figures 2, 5, 3 wherein the TX DSP transmitting (broadcasting) at 20 k-symbols/sec (continuously){see column 5, lines 57-58 and col.4, lines 24-30 wherein the data output from plurality of DSP are transmitted by TX DSP 15}. Also, the plurality of DSPs 11-14 (a plurality of DSP engines as claimed) are loaded with firmware configuration commands (plurality of firmware algorithm as claimed) on column 4, lines 4-19.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuongchau Ba Nguyen whose telephone number is 703-305-0093. The examiner can normally be reached on Monday-Friday from 10:00 a.m. to 3:00 p.m..


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on 703-308-6602. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.



Phuongchau Ba Nguyen
Examiner
Art Unit 2665

February 4, 2002



HUY D. VU
PRIMARY EXAMINER